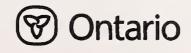




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MINISTRY OF THE ATTORNEY GENERAL

2000-2001 Business Plan





Message from the Minister



Hon. James M. Flaherty

We believe everyone in Ontario has the right to be safe and feel safe from crime. We should be able to walk in our neighbourhoods, use public transportation, live in our homes and send our children to school without fearing criminals.

Promoting the values of respect and responsibility is fundamental to improving public safety, and we are committed to enshrining these values in the justice system. The *Safe Streets Act*, now in force, protects people's right to use our streets and public places without fear or intimidation. The *Parental Responsibility Act*, passed in May 2000, would make parents financially accountable for property loss, damage or destruction caused intentionally by their children.

A sense of safety and security must begin at home. Together, the 1999 and 2000 Ontario Budgets provide annual funding of \$20 million to expand domestic violence court programs and to improve services at the existing sites.

To give victims a stronger voice, Crown attorneys now have dedicated time to spend with victims and witnesses in preparing cases. The Office for Victims of Crime will be permanently established in legislation.

An efficient and effective justice system contributes to Ontario's competitive economic edge. We are building courthouses, deploying technology and introducing new processes to modernize the system.

The initiatives outlined in this report to the public demonstrate we are serious about protecting our communities from crime and improving justice services for the people of Ontario.

The Honourable James M. Flaherty

Attorney General

James M. Hal

Ministry Vision

Our vision is for safe and prosperous communities supported and protected by a modern, effective and accessible justice system. This vision guides all of the ministry's planning and decisions.

A modern justice system anchors the values of a free and democratic society and is the foundation for community and personal safety. Such a justice system gives victims a voice in the criminal justice process while holding offenders responsible for their conduct. It supports family life by helping families resolve disputes and enforce decisions. And it contributes to economic prosperity by supporting safe communities that attract investors and by providing individuals and businesses with efficient ways to resolve disputes.

The ministry's vision is based on the firm belief that Ontarians have a right to feel and be safe and secure in their homes and communities. This vision leads the ministry to work toward safer streets and safer communities, to protect victims of crime and to promote respect and responsibility.

Core Businesses

The Ministry of the Attorney General pursues its vision of the Ontario justice system through five core businesses.

Supporting Victims of Crime throughout the Criminal Justice System

- The government is committed to building a justice system that responds to the needs of victims of crime and gives victims a stronger voice. Crown attorneys now have dedicated time to spend with victims and witnesses in preparing cases. Victims currently receive support through such initiatives as the Victim/Witness Assistance Program, with 26 offices around Ontario.
- The Office for Victims of Crime is working to strengthen victims' services. It continues to work with community groups and government program staff to develop ways to better meet victims' needs across the province.
- The ministry works with the Ministries of the Solicitor General and of Correctional Services to create a justice system that reflects the principles expressed in the *Victims' Bill of Rights*, 1995, which supports and recognizes the needs and rights of victims of crime in the criminal and civil justice system.

Providing Support Services to Vulnerable People

• The ministry provides or supports a range of special services to bring the justice system to those most in need. These services encompass enforcement of support orders so families and children get the money to which they are legally entitled, decision-making on behalf of mentally incapable people with no one else to act on their behalf, legal representation of children and funding for Legal Aid Ontario.

Prosecuting Crime and Preserving Public Order and Personal Safety

- The ministry protects community and personal safety through timely, fair and effective prosecution of offences across the province. More than 600 Crown attorneys prosecute approximately 500,000 charges each year.
- In the criminal justice system, the ministry works with the Ministry of the Solicitor General, which regulates police services, and the Ministry of Correctional Services, which operates custodial facilities and probation and parole services. The goal is to ensure that criminal acts are met with appropriate consequences, to balance individual rights with responsibilities and to create safer streets and safer communities.

Delivering Criminal, Civil and Family Courts and Related Justice Services that are Fair, Co-Ordinated, Timely and Accessible

- The ministry provides a range of services that support Ontario's family, criminal and civil courts. More than 250 court offices around the province serve litigants, judges, lawyers, Crown attorneys, police and the public.
- The government has made a commitment to providing courts and related services that respond to the changing needs of the people of Ontario. The ministry is moving forward with modernizing the justice system to make it more accessible and convenient for the public, to make courts work better and faster and to offer alternatives to court for resolving disputes.

Providing Legal Advice and Service to Government

• Since government itself is a user of the justice system, it requires legal advice and services. This core business provides expert legal services to government ministries, agencies, boards and commissions.

Annual Report on Key Achievements for 1999 - 2000

Strengthening Community and Personal Safety

The Safe Streets Act, which took effect January 31, 2000, protects the public's ability to use the streets, sidewalks and other public places in a safe and secure manner. Passed in the fall 1999 session of the Legislature, the Act prohibits squeegeeing, aggressive solicitation including aggressive panhandling, soliciting in certain situations where a person cannot easily walk away (such as at bank machines) and disposal of dangerous objects like syringes in outdoor places without taking proper precautions. The legislation gives police the power to arrest individuals who commit these offences, thereby keeping the streets safe for law-abiding citizens.

The first-ever backlog blitz in Ontario's criminal courts has made communities safer by speeding up the progress of cases in the six busiest locations. The number of charges pending in these sites for more than eight months decreased from 269 in 1997-98 to 16 in 1999-00. The next steps in reducing delay have been outlined by the Criminal Justice Review, a joint initiative by the judiciary, the ministry and the defence bar. The ministry began to implement the review's 100-plus recommendations for streamlining criminal justice procedures, co-ordinating roles in the system and using resources more efficiently.

Everyone in Ontario has the right to feel safe, and be safe, in their neighbourhoods, on their streets and, above all, in their homes. In the 1999 Ontario Budget, the government committed \$10 million annually to support a comprehensive strategy to combat domestic violence, including doubling the number of domestic violence courts to 16. As a result, new courts are being established in Etobicoke, Scarborough and College Park in Toronto and in Windsor, Sudbury, Newmarket, Barrie and Kitchener. Resources in the existing eight courts are also being strengthened. Partner Assault Response programs and the Victim/Witness Assistance Program are expanding as part of this initiative. The goal is to provide better support for victims, break the cycle of violence and deliver the clear message that abusers must pay for their actions.

The expansion of domestic violence courts was a key recommendation of the May-Iles coroner's inquest in 1998. The ministry co-ordinated the government response to the inquest findings. Overall, more than 90 per cent of the recommendations have been implemented or are in progress. Actions by the ministry include placing more Crown attorneys in the busiest bail courts, providing prosecutors with dedicated time to spend with victims and witnesses, and developing information systems to share critical information on crimes with justice partners.

Ontario continued to press the federal government to toughen the proposed *Youth Criminal Justice Act* (YCJA), which contains many of the same weak provisions as the existing *Young Offenders Act* (YOA). Essentially the YCJA is the same book with a different cover. Ontario stressed that the YOA has failed to deter violent youth crime and hold offenders accountable. Nationally, violent youth crime is up 77 per cent over the past 10 years and 43 per cent of convictions under the YOA in 1998 involved repeat offenders.

The province also called on the federal government to make fundamental changes in the way criminals are sentenced in Canada. Ontario's proposals include repeal of the federal "discount law" that puts offenders back on the streets after serving only two-thirds of their sentence. Ontario has also demanded mandatory minimum sentences for repeat serious violent crimes, such as sexual assault, robbery and assault causing bodily harm. The Attorney General issued a new sentencing directive to Crown Attorneys which emphasizes that conditional sentences — allowing offenders to serve their sentences in the community — are not appropriate for crimes of violence or attempted violence. The directive advises prosecutors that conditional sentences should not be recommended by the Crown where the need to denounce and deter the offender's conduct is paramount.

Ontario takes a balanced approach to youth crime that encompasses Youth Justice Committees as an alternative to the courts for holding non-violent young offenders accountable. The ministry established a Youth Justice Committee pilot in six communities and over the next two years plans to triple the number of sites to 18. Under this program, panels of community members meet with young offenders accused of minor, non-violent offences and their parents to determine how the offender should make amends. This approach improves community safety by giving young offenders a chance to turn away from a life of crime.

The ministry protected community safety by expanding a database on high-risk offenders to record all applications regarding dangerous offenders, longer term offenders and offenders completing sentences for serious personal injury crimes. The ministry database is part of a national system accessible to law enforcement officials across the country. If a criminal re-offends, the flag alerts authorities to the past record, so they can consider a dangerous offender application to keep the individual off the streets.

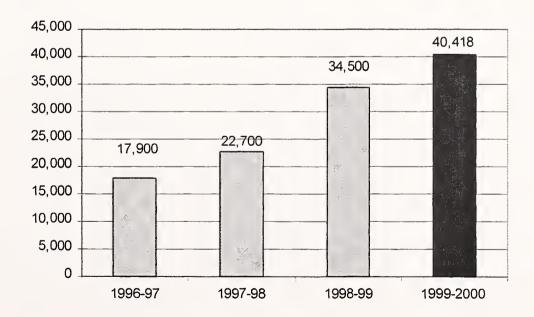
Support for Victims of Crime

Victims now have a stronger voice in the criminal justice system. The hiring of an additional 59 Crown attorneys at a cost of \$8 million annually means that prosecutors have one full day out of court, per four days in court, to spend with victims and witnesses in preparing cases.

The Office for Victims of Crime, proposed and run by victims and frontline criminal justice professionals, continued its work with community groups and government program staff to develop ways to better meet victims' needs across the province.

The Victim-Witness Assistance Program, which guides and supports victims and witnesses throughout the criminal justice process, served a record 40,000 clients. Survey forms submitted by clients completing the program showed a 94 per cent satisfaction rate with the services provided.

Victim/Witness Assistance Program Number of Clients Assisted



Investing in Justice

The Integrated Justice Project – often described as one of the world's largest justice modernization initiatives – prepared for implementation. The project represents a \$203 million investment by a private-sector consortium and the Ministries of the Attorney General, Solicitor General and Correctional Services. A comprehensive information system will link courts, judges, lawyers, prosecutors, police and correctional staff – reducing paperwork and increasing efficiency for all justice partners.

During the year more than 3,600 desktop or laptop computers were installed in court, judicial and Crown attorney offices, together with network wiring. Automated case management systems and digital audio court recording systems were tested in three court locations. As expected, a number of modifications were highlighted to meet user needs. Changes are being made to further refine software and prepare for implementation.

Since 1995, the government has committed \$266 million to build or renovate court facilities – the largest courthouse construction program in Canada. Among these projects, new courthouses in Hamilton and Welland officially opened in 1999-2000 and the new Windsor courthouse began operation. Other courthouse projects are under construction or in the planning stages in Brampton, Brockville, Pembroke, Chatham and Owen Sound. State-of-the-art facilities enable the courts to deal with cases more quickly and improve service to the public.

Alternatives to the Traditional Justice System

The Family Court of the Superior Court of Justice (formerly known as the Unified Family Court) handles family law matters that might otherwise involve two different courts, providing more convenient service for families. This model also provides ready access to family mediation services, thereby assisting families to settle disputes out of court and reduce the emotional and financial costs. The Family Court expanded to 12 additional sites in late 1999, for a total of 17 – reaching about 40 per cent of Ontario's population. The ministry introduced family law information centres and parent education programs at all sites to help parents focus on children's best interests.

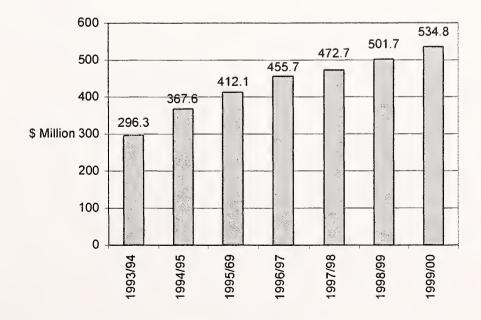
In the civil courts, the Mandatory Mediation Program recorded a high success rate in its first year of operation in Toronto and Ottawa. Of cases referred to mediation early in the litigation process, 40 per cent settled fully and 17 per cent settled partially, saving the parties time and money. An accessible and efficient system for resolving commercial and other civil disputes supports Ontario's positive economic climate.

The ministry is contributing to the realignment of local services by transferring to municipalities responsibility for processing and prosecuting "ticketable" offences under the *Provincial Offences Act*. Municipalities keep the fines revenue collected. As of March 2000, 18 transfers had been completed, representing about 30 per cent of the court services areas in the province. The remaining transfers are expected to be completed by late 2001.

Protecting the Most Vulnerable

In 1999-2000 the Family Responsibility Office (FRO) collected nearly \$535 million for Ontario families owed support payments. This represents a 45 per cent increase over a five year period – well beyond FRO's caseload growth of 27 per cent. A one-year Collection Agencies Pilot Project reached a successful conclusion in late 1999. Targeting debt more than three years old, which is generally considered uncollectible, the project located \$11.3 million in support for families and children. The total includes funds paid as well as arrears where payers agreed to start payments.

Family Support Payments Collected



FRO is the first support enforcement program in Canada to introduce a secure Internet-based employers payment system. It enables employers to transfer support payments from their employees directly to FRO quickly and securely. More than 200 companies have joined the system since it started up last October.

The government more than doubled the number of Supervised Access Sites from 14 to 36 to help families in crisis and protect the security of children. The program provides safe, neutral places for supervised pickups or visits between a child and a non-custodial parent or other relatives. This service can help children maintain a relationship with both parents in times of family conflict.

Child-friendly courts expanded to 16 sites, providing facilities and services designed to make the court experience less traumatic for children who are victims or witnesses. These special courts offer such features as smaller, less intimidating courtrooms; specially designed screens in front of the witness stand; closed-circuit televisions so the child can testify outside the courtroom; and on-site support staff.

The Office of the Public Guardian and Trustee is the decision-maker of last resort for people who are mentally incapable and have no one else to act on their behalf. New annual funding of \$3.5 million enabled the office to increase the number of front-line staff by 35 per cent. As a result, more time can be devoted to complex guardianship cases and to clients living independently who need more assistance. The office also met its targets for responding quickly to allegations of abuse and for making prompt medical treatment decisions.

Key Commitments and Strategies for 2000 - 2001

Building a Safer Ontario and Promoting Respect and Responsibility

Parents could be held financially accountable for property loss, destruction or damage intentionally caused by their children by the *Parental Responsibility Act*, passed by the Legislature in May 2000. This law would make it easier for victims of youth property crime to recover up to \$6,000 in compensation from parents, through the Small Claims Court. Parents would not be liable if they can prove that the damage was unintentional or that they exercised reasonable supervision and made reasonable efforts to prevent the damage. More than 20,000 cases heard under the *Young Offenders Act* each year involve property crimes. The legislation is intended to establish responsibility for these actions and to give victims the justice they deserve.

The 2000 Ontario Budget committed annual funding of \$4 million for the strategic deployment of specialized police forces and dedicated prosecutors and other legal resources to crack down on organized crime. This strategy will attack the business of organized crime. Ontario will host an organized crime summit in Toronto this year. The government intends to introduce legislation to provide civil remedies focussed on proceeds of crime and other corrupt practices.

The number of Youth Justice Committee sites will triple over the next two years at a total cost of \$1 million, from six locations currently in operation or in the planning stages to a total of 18. Using community panels to decide sanctions for non-violent offences by young people can increase public safety. This approach has been shown to result in a lower rate of repeat offending, compared with the court system.

Ontario will continue to put pressure on the federal government to become a full partner in the war against crime. The province will press Ottawa to overhaul the proposed *Youth Criminal Justice Act* and to toughen federal sentencing policies to deter crime and hold offenders accountable for their actions. These changes are essential to protect the public and to do justice to victims.

Conditional sentences, introduced by the federal government in 1996, permit offenders who would otherwise be imprisoned for up to two years to serve their time in the community. The Attorney General has taken the position that conditional sentences are not appropriate for crimes of violence or attempted violence and has called on the federal Minister of Justice to introduce legislation severely curtailing their use. Ontario will continue to demand federal action because conditional sentences jeopardize community safety by allowing serious, violent offenders who should be in jail to walk the streets. In the interim, the Attorney General has issued a directive to Crown attorneys advising them that conditional sentences should not be recommended to the court where the need to denounce and deter the offender's conduct is paramount.

Safeguarding Victims

The government stands firmly on the side of victims of crime and will make the Office for Victims of Crime permanent. Staffed by crime victims and front-line criminal justice professionals, the Office will provide advice in the development of an overall framework for victims' services.

The 2000 Ontario Budget provided \$10 million on an annualized basis to increase the number of domestic violence courts by 50 per cent – from 16 already operating or in the planning stages to a total of 24. Through these innovative courts, domestic violence cases are aggressively prosecuted with the assistance of improved investigation techniques, such as use of 911 tapes. First-time offenders are referred to an intensive counselling program, if they have not caused serious injuries or used a weapon. Victims receive intensive, responsive support services. These courts proclaim that domestic violence is a crime and will not be tolerated in Ontario.

Protecting Children and Families

Family law information centres will be expanded to all 52 family court locations across the province. These centres provide clients with information about the legal process, help in filling out forms, referrals to other services such as mediation, parent education, community programs and general legal advice from Legal Aid Ontario.

The number of Supervised Access Centres, which serve families with custody and access arrangements, will increase from 36 to 52 at a cost of \$2 million per year. The province-wide expansion will give more children a safe and secure place to visit or be picked up by non-custodial parents or other relatives. This program can greatly reduce the emotional toll family disputes often take on children.

The ministry will continue to implement case management in the Family Court of the Superior Court of Justice as well as in the Ontario Court of Justice in line with the new Family Law Rules. The rules set time standards for the flow of cases and require judges to monitor proceedings to avoid unnecessary cost and delay. Strict timelines are set for the progress of child protection cases through the courts, addressing concerns raised in coroner's inquiries. Family case management will be conducted manually at first and then automated when the Integrated Justice Project is phased in.

The government has endorsed a report submitted to the ministry by the Honourable Sydney L. Robins, a former judge on the Ontario Court of Appeal, entitled "Protecting Our Students: A Review to Identify and Prevent Sexual Misconduct in Ontario Schools." The government commissioned the report in response to the 1996 conviction of a former Sault Ste. Marie teacher on sexual assault charges. The report sets out more than 100 recommendations to help school boards, the Ontario College of Teachers, the judiciary, several provincial ministries and the federal government improve protection for children. The Ontario government endorses the report and is committed to working with its partners in the expectation that immediate action will be taken on the majority of the recommendations.

Based on the success of last year's pilot project, the Family Responsibility Office will expand the use of collection agencies to get families the money they are owed. In this second phase, private collection firms will concentrate on more recent debt by collecting support more than six months overdue.

Modernizing the Justice System

The Integrated Justice Project will continue building an information system to link people who work in the justice system, including police officers, prosecutors, lawyers, court staff, judges and correctional services staff. The project will not merely automate existing processes but will take advantage of advanced software technology to change the way people in the justice system do business. Information entered once in the system will be shared with authorized users, whenever and wherever they need it. The phase-in of automated case management systems will begin in civil, family and criminal courts. The new systems will monitor the progress of every case, helping to keep proceedings on track. As well, deployment of a case management system will get under way in Crown Attorney offices to help Crowns schedule and monitor cases. Crowns will also begin to receive police information briefs electronically.

Key Performance Measures

| Core Business: Prosecutin order and personal safety | g crime, preserving public | | |
|---|---|--|--|
| Goals/Outcomes | Measures | Targets/Standards | 2000-2001 Commitments |
| Criminal justice resources are better focused and prosecution processes are streamlined to (1) hold offenders accountable; (2) preserve victims rights; and (3) ensure public safety. | The number of criminal cases dismissed province-wide as a result of unreasonable delay. | Reduce the number of cases dismissed due to delay province-wide to no more than 20 cases in three years (March 2003) | Reduce the number of criminal cases dismissed due to delay to no more than 40 cases province-wide. |

| Core Business: Providing support to victims of crime throughout the criminal justice system | | | |
|---|--|--|---|
| Goals/Outcomes | Measures | Targets/Standards | 2000-2001 Commitments |
| Increase and improve support for victims proceeding through the criminal justice process. | Client satisfaction with services provided by the Victim/Witness Assistance Program (V/WAP). | 90% client satisfaction with program services. | Attain 92% client satisfaction with program services. |

Core Business: Providing criminal, civil and family courts and related justice services, that are fair, coordinated, timely and accessible

| Goals/Outcomes | Measures | Targets/Standards | 2000-2001 Commitments |
|--|---|--|---|
| Public satisfaction with court services. | Survey level of public satisfaction with services | Develop customer satisfaction survey across Ontario court system. | Conduct province- wide survey in Small Claims Court. |
| Improve customer service in the North York Small Claims Court. | Average wait time for counter services. | Average wait time of 15 minutes or less. | Reduce average wait time for counter services from 17 minutes to 15 minutes. |
| | Average time to process all claims and defenses received in the mail. | Average process time of 2 working days. | Reduce processing of all claims and defenses received in the mail from an average of 4 working days to within three working days. |
| | Time to process enforcements | Enforcements are processed in 4 working days. | Reduce time to process enforcements from 5 days to 4 days. |
| Reduced time to resolution for litigants in civil proceedings | Time to resolution of cases. | To be determined by methodology | Conduct pilot evaluations, pending outcome of Simplified Rules, Civil Case Management and Mandatory Mediation results. |
| Implement mandatory referral to mediation in civil, non-family cases in the Superior Court of Justice, to reduce the time to settlement and costs for litigants. | Percentage of cases that have early settlement through the mediation process. | Cases referred to mandatory mediation will have a 40% settlement rate (full and partial settlement). | Target 40% settlement rate as the Mandatory Mediation Program is implemented. |

Core Business: Providing decision-making, enforcement and justice support services to vulnerable people.

| Goals/Outcomes | Measures | Targets/Standards | 2000-2001 Commitments |
|---|--|--|----------------------------------|
| Improved customer service through faster telephone access to Client Service Associates in the Family Responsibility Office (FRO). | Client wait time for calls to Client Service Associates. | Average telephone wait time of 10 minutes or less. | Average wait time of 9 minutes. |
| More child support funds for the support of children through Family Responsibility Office (FRO) activities to enforce increased compliance with child support orders. | The % increase in compliance rates. | A 61% compliance rate. | 61% compliance rate. |
| All allegations of harm against vulnerable people are responded to promptly by the OPGT. | % of cases where standard is met. | Commence follow-up to allegation within 24 hours | Standard is met 90% of the time. |
| All OPGT decisions related to medical treatment for clients are made promptly. | Time taken to make a decision after receipt of all necessary health information. | Decisions made within three days of receipt of all necessary health information. | Standard is met 92% of the time. |

1999-2000 Ministry Spending by Core Business - Interim Actuals*

Ministry of the Attorney General**

Operating Capital

\$803 million

\$ 59 million 6,135 staff

Prosecuting Crime

Operating

\$100 million

1,090 staff

Criminal Law

Special Investigations Unit

Legal Advice to Government

Operating

\$32 million 690 staff

Legal Services

Legislative Counsel Services

Victims Services

Operating

\$22 million 140 staff

Victim/Witness Assistance Program Criminal Injuries Compensation Board Office for Victims of Crime

Domestic Violence Work Team

Criminal, Civil and Family Courts

Operating Capital

\$269 million \$ 48 million

3.260 staff

Administration of Justice

Judicial Services

Court Construction

Family Justice Services

Operating

\$269 million

755 staff

Public Guardian and Trustee

Children's Lawyer

Family Responsibility Office

Supervised Access and Bail Verification

Victims of Abuse Legal Aid Ontario

Internal Administration

Operating

\$26 million (without leases)

\$111 million (with leases)

Capital

\$11 million

200 staff

Administration Facilities Renewal

Note: Staff numbers are shown as full-time equivalents.

*PSAB based.

**Actuals for Ministry and Family Justice Services include PSAB adjustment decreasing Legal Aid Ontario by \$31 million.

2000-2001 Ministry Approved Allocations by Core Business Plan*

Ministry of the Attorney General**

Operating Capital

\$882 million \$ 64 million 6.520 staff

Prosecuting Crime

Operating

\$118 million 1,125 staff

Criminal Law

Special Investigations Unit

Legal Advice to Government

Operating

\$23 million 690 staff

Legal Services

Legislative Counsel Services

Victims Services

Operating

\$28 million 205 staff

Victim/Witness Assistance Program Criminal Injuries Compensation Board Office for Victims of Crime Domestic Violence Work Team

Criminal, Civil and Family Courts

Operating Capital

\$271 million \$ 55 million

3,540 staff

Administration of Justice

Judicial Services Court Construction

Family Justice Services

Operating

\$327 million 760 staff

Public Guardian and Trustee

Children's Lawyer

Family Responsibility Office

Supervised Access and Bail Verification

Victims of Abuse Legal Aid Ontario

Internal Administration

Operating

\$ 21 million (without leases)

\$115 million (with leases)

Capital

\$9 million

200 staff

Administration Facilities Renewal

Note: Staff numbers are shown as full-time equivalents.

*PSAB based.

**Approved allocations for Ministry and Family Justice Services include a PSAB consolidation adjustment in the amount of \$29 million.

Who to Call

Questions or comments about the ministry's business plan are welcomed.

Visit our Website at http://www.attorneygeneral.jus.gov.on.ca or call our Public Inquiries staff at (416) 326-2220. The TTY/TDD number is (416) 326-4012. The fax number is (416) 326-4007.

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